

Committee on Government Reform

Tom Davis, Chairman



MEDIA ADVISORY

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Government Reform Committee to Review US-VISIT Program

**What: COMMITTEE ON GOVERNMENT REFORM OVERSIGHT HEARING
“America's New Welcome Mat: A Look at the Goals and Challenges
of the US-VISIT Program”**

When: MARCH 4, 2004, 2 p.m.

Where: ROOM 2154 RAYBURN HOUSE OFFICE BUILDING

This hearing continues the Committee's ongoing review of the newly implemented entry-exit tracking program and the changes made to policies for issuing visas as a result of the terrorist attacks of September 11, 2001. Through this hearing, the Committee hopes to learn about the plans for US-VISIT, the current status of the implementation of those plans, the foreseen challenges, and the efforts made to meet those challenges.

Background:

In July 2003, the Committee held a hearing on visa backlogs resulting from more stringent interview requirements and waiting periods for security advisory opinions. Our review continues by focusing on the United States Visitor and Immigration Status Indicator Technology (US-VISIT) program.

In January 2004, DHS implemented Increment I of the US-VISIT program. **This was a first step in a long process that will eventually establish the first unified border security and identification program at all U.S. borders. The sheer scope and complexity of this program is breathtaking.**

Approximately 330 million non-citizens enter the United States at almost 400 designated ports of entry each year. The daunting task of protecting America's border security could not be more critical in today's threat environment, and ensuring that we know who it is we allow to enter our borders and how long they stay is an important layer in securing the border. **In May 2003, the Department of Homeland Security (DHS) unveiled the US-VISIT program for three important purposes:**

- To enhance the security of the United States, its citizens, permanent residents, and visitors;
- To expedite legitimate travel and trade and to ensure the integrity of the U.S. immigration system; and
- To safeguard the personal privacy of foreign visitors and residents.

The program is intended to enhance national security by verifying foreign national travelers' identities through the comparison of biometric identifiers, by authenticating their travel documents, and by checking their data against appropriate law enforcement and intelligence systems. At the same time, the program is planned to facilitate commerce, tourism, and education for legitimate travelers by allowing border patrol officers to quickly verify the identities of legitimate visitors.

DHS and other agencies, such as the Department of State and the Department of Justice, have started an aggressive implementation schedule for US-VISIT. In September 2003, several U.S. embassies began collecting biometric data during the visa issuance process as part of the State Department's phase-in plan. At this time, about a third of the over 200 visa-issuing posts are collecting biometric data. In January 2004, the American embassy in San Salvador, El Salvador and posts in Saudi Arabia, began to compare visa applicants' fingerprint data against DHS databases to be used in the visa adjudication process. Also in January, U.S. airports began collecting biometrics for visitors entering the United States. This phase-in approach has achieved results in identifying individuals using fraudulent travel documents and individuals wanted by law enforcement.

At the same time, the implementation of US-VISIT thus far has not resulted in significant waiting time increases for the traveling public. Although these efforts have achieved some success and government agencies are enthusiastically looking for feedback in improving technology and management methods, US-VISIT faces immense challenges as additional consular posts, land border crossing points, and exit points begin to collect biometric data.

There are concerns on several fronts in this unprecedented border protection program:

TECHNOLOGY. The task of collecting, storing and accurately accessing biometric records in the quantity required is unprecedented. The enrollment process must be quick and self-explanatory for visitors, and matching capabilities must be efficient and carry a very low false-positive rate.

PROCUREMENT. On November 28, 2003, DHS released a request for proposals (RFP) to build the massive immigration tracking system required by the US-VISIT program. Proposals were received in January and DHS is currently evaluating these proposals. A decision on the prime integrator is expected in late May.

LOGISTICS. DHS has yet to state at which time specific ports of entry will implement the entry and exit portions of the program. Many land borders are unable to support an exit checkout function. Many US embassies face facility and staffing level challenges that will make biometric data collection extremely difficult and may cause delays. In airports, DHS must negotiate with individual port authorities to design a system that makes sense in each facility. Delays at either border crossings or U.S. consular facilities may hamper commerce and tourism to the United States.

PRIVACY AND CIVIL RIGHTS. Under current program expectations, federal, state, and local law enforcement personnel will have access to the biometric information collected from US-VISIT. Many privacy and civil rights groups are concerned about the proper uses of this information once it is collected.

STAKEHOLDER COLLABORATION. The Committee is interested in the makeup of the US-VISIT team that is shaping the program. The cooperative relationships between the various federal agencies of interest will be critical to an effective implementation of the program. In addition, the federal government must seek and consider the input from the various port authorities and private sector entities such as airports and business communities that are significantly affected by US-VISIT.

There can be little doubt that this sort of fundamental change at the borders was one of the primary goals of DHS from the time President Bush announced the creation of the Department. The acquisition and implementation of this new system will, therefore, be a crucial first test in looking at the effectiveness of the Department. Many have pointed to the great risk associated with implementing a program of this magnitude too quickly. But it must also be pointed out that this program is, in fact, a wartime acquisition and should be judged through the lens of this era of asymmetrical warfare. The program is being implemented swiftly because it is needed immediately. Its success or failure should be judged on the basis of this reality as well.

WITNESSES

The Honorable Asa Hutchinson, Under Secretary for Border and Transportation Security, Department of Homeland Security

The Honorable Maura Harty, Assistant Secretary for Consular Affairs, Department of State

Mr. David Z. Plavin, President, Airports Council International-North America, on behalf of Airports Council International-North America and the American Association of Airport Executives

Mr. Randel K. Johnson, Vice President for Labor, Immigration and Employee Benefits, U.S. Chamber of Commerce

Ms. Jessica Vaughan, Senior Policy Analyst, Center for Immigration Studies

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